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Technical assistance and capacity-building

Algeria (on behalf of the Group of African States), Ireland, Israel*, Luxembourg*, Maldives, New Zealand*: draft resolution

29/...

Capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and relevant human rights treaties,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Council resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the code of conduct for special procedures mandate holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling further Council resolutions S-14/1 of 23 December 2010 and 16/25 of 25 March 2011, on the situation of human rights in Côte d'Ivoire, and 17/21 of 17 June 2011, establishing the mandate of the Independent Expert on the situation of human rights in Côte d'Ivoire, and resolutions 20/19 of 6 July 2012 and 23/22 of 14 June 2013 renewing the mandate of the Independent Expert, as well as resolution 26/32 of 27 June 2014 establishing the mandate for capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights,

Reaffirming that all States have a responsibility to promote and protect human rights and fundamental freedoms, as stated in the Charter, the Universal Declaration of Human Rights, the international covenants on human rights and other relevant human rights instruments,

Welcoming the establishment of a compensation fund for victims of the post-election crisis with an initial capital of 10 billion CFA francs, or approximately US$ 18 million, and the establishment of the National Commission for Reconciliation and Compensation for Victims,

Noting that the human rights situation in Côte d'Ivoire has improved significantly and that it should nevertheless be monitored, given the numerous

* Non-member State of the Human Rights Council.

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challenges, notably the restoration of peace, national reconciliation and combating impunity,

Concerned at the continuing sporadic armed attacks on the Forces républicaines de Côte d'Ivoire in the exercise of their mandate to protect civilians,

1. *Condemns* the continuing sporadic attacks by unidentified armed individuals in Côte d'Ivoire, which are liable to thwart the joint efforts of the Ivorian people and the international community to bring security and peace to the country;

2. *Welcomes* the stability in the security situation in Côte d'Ivoire, as indicated in the most recent report of the Secretary-General on Côte d'Ivoire,[1] as well as the work of the Special Investigation Unit, the National Security Council and the National Programme for Social Cohesion, particularly as regards their roles in early warnings, prevention of human rights violations and reconciliation;

3. *Welcomes* the exemplary and continuing cooperation of the Government of Côte d'Ivoire with the United Nations human rights machinery and its commitment to promoting and protecting human rights, and encourages the continuation of efforts to end all human rights violations in the country, prosecute the perpetrators of such acts and help victims;

4. *Also welcomes* the progress achieved by the Government of Côte d'Ivoire in promoting respect for and the protection of human rights, notably its constructive dialogue with the members of the Human Rights Council during the universal periodic review in April 2014 and the presentation of its initial report to the Human Rights Committee[2] in March 2015;

5. *Notes with appreciation* the efforts made by the Ivorian Government to align its domestic legal framework with the Rome Statute of the International Criminal Court, particularly its positive initiative towards abolishing the death penalty, and the introduction into its domestic legal framework of international crimes such as genocide, crimes against humanity and war crimes, superior responsibility for war crimes and the non-applicability of any statute of limitations to such international crimes;

6. *Welcomes* the efforts made by Côte d'Ivoire to enhance capacity in the judicial system, notably through the renovation of courts, legislative reforms to the Criminal Code, the Code of Criminal Procedure, the Civil Code and the Code of Civil Procedure and the re-opening of the assize courts, and calls on the Government of Côte d'Ivoire to strengthen human resource capacity, to ensure that legal proceedings conform to international standards for a fair trial and to consider prosecuting all the alleged perpetrators of human rights violations, particularly those committed during the post-election crisis;

7. *Also welcomes* in that regard the renewal of the Special Investigation Unit, encourages the acceleration of the national processes of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010–2011 post-election period and calls for the full implementation of the mandate of the National Commission for Reconciliation and Compensation for Victims;

8. *Further welcomes* the continuing work in the political framework for ongoing dialogue aimed at facilitating inclusive political pluralism and notes the continued cooperation with the International Criminal Court and the adoption of new legislation, which constitute important progress in strengthening the legislative framework and in promoting and protecting human rights;

[1] S/2015/320.

[2] CCPR/C/CIV/1.

9. *Takes note* of the continuation of the trial of some members of the Forces républicaines de Côte d'Ivoire and the acceleration of the process of investigation and prosecution of the alleged perpetrators of the violence committed during the 2010–2011 post-election period;

10. *Welcomes* the results achieved by the Authority on Disarmament, Demobilization and Reintegration, which represent remarkable progress that has made it possible to consolidate security in the country;

11. *Also welcomes* the reform of the Independent Electoral Commission, which as established after a broad process of consultation with all stakeholders, and the continuation of the electoral process towards fair, free, transparent, inclusive and calm elections;

12. *Takes note* of the oral update provided by the Independent Expert at the twenty-eighth session and his first report presented during the twenty-ninth session,[3] as well as his recommendations;

13. *Applauds* the commitments made by the Ivorian Government during the various sessions of the Human Rights Council to endorse the Independent Expert's recommendations and its fruitful cooperation with the Independent Expert in the framework of his mandate;

14. *Also applauds* the efforts of the Government of Côte d'Ivoire in ratifying international and regional human rights instruments, particularly the adoption of the Act of 20 June 2014 on promoting and protecting human rights defenders and the adoption in July 2014 of the Act governing prevention, protection and punishment in the fight against HIV/AIDS, and encourages it to continue in that direction and to proceed in its efforts to bring its national legislation into conformity with the international and regional instruments it has ratified, ensuring the effective application of those instruments;

15. *Notes with satisfaction* the continued improvement in the humanitarian situation on the ground and calls on United Nations agencies and other relevant actors to continue, at the request of the country, to provide assistance to refugees and internally displaced persons, in conformity with the measures put in place by the Government, so as to encourage their safe and voluntary return to their homes;

16. *Notes* the importance set by the Ivorian authorities on combating the sexual violence suffered by women and children, notably with the adoption of a national strategy to curb the phenomenon and the efforts made to protect children, and calls on the Government to do everything possible to carry out investigations into the recurring allegations of violence against women and children;

17. *Requests* the international community to continue to support the reconstruction and reconciliation process under way in Côte d'Ivoire and to provide the assistance requested in the specific areas in which such assistance is necessary, including in strengthening the capacity of the mechanisms for combating violence against women and children;

18. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide the technical assistance requested by the Government, to help Côte d'Ivoire to meet its human rights obligations;

19. *Calls on* the international community to support the national efforts made by Côte d'Ivoire and its institutions to strengthen the rule of law in the country, and to respond to its requests for technical assistance in the humanitarian, educational, health, economic and social spheres;

[3] A/HRC/29/49.

20. *Also calls on* the international community to continue to support the National Human Rights Commission, through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Ivorian people, in accordance with the Paris Principles;

21. *Decides* therefore to extend the mandate on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights for a period of one year, from the twenty-ninth to the thirty-second sessions of the Human Rights Council;

22. *Requests* the Independent Expert to submit a report to the Human Rights Council at its thirty-first session and his final recommendations at its thirty-second session;

23. *Decides* to remain seized of this matter.